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COUNTY OF SISKIYOU and ANDREA FOX

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Counsel for Plaintiff PHILLIP HOFF

IN THE UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

PHILLIP HOFF,

Plaintiff,

V.

COUNTY OF SISKIYOU, an administrative body; ANDREA FOX, ex-HOA manager; and DOES 1-5, INCLUSIVE,

Defendants.

) CASE NO.: 2:23-cv-00535-WBS-JDP
)
)
JOINT STIPULATION REQUESTING
CONTINUANCE OF SCHEDULING
CONFERENCE AND
CORRESPONDING DATE TO FILE
JOINT STATUS REPORT;
ORDER RE: SAME
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Plaintiff, via his counsel, Reshma Kamath, of the Law Office of Reshma Kamath; and Defendants County of Siskiyou and Andrea Fox, by and through counsel, Shanan L. Hewitt, Esq., of the Law Offices of Rivera Hewitt Paul LLP, collectively referred to as "the Parties," hereby file this joint stipulation requesting a continuance of the Scheduling Conference, currently set for November 6, 2023 at 1:30 p.m., and the corresponding deadline for the Parties

1 to file their Joint Status Report. The Parties stipulate and have agreed to extend the responsive
2 pleading deadline as follows:

- 3 (1) On October 3, 2023, Plaintiff filed a Third Amended Complaint (Doc. 21) which
4 included new allegations and approximately 81 pages of exhibits not previously
5 included with Plaintiff's prior complaints.
- 6 (2) Defense counsel has had other court deadlines and most recently had been working to
7 complete an opposition to a motion for reconsideration in *Estrella Chavez v. City of*
8 *Modesto, et al.*, 1:22-cv-00921-MCE-JDP. In addition, defense counsel has a pre-
9 planned, pre-paid event from October 13 through October 15 and was unable to work
10 on a responsive pleading in this case during that time frame.
- 11 (3) Based on these circumstances, the Court granted Defendants' ex parte request to extend
12 the time for Defendants to file their responsive pleading to the Third Amended
13 Complaint (Doc. 21) by one (1) week to October 24, 2023 (Docs. 23, 25).
- 14 (4) Defendants are filing a Rule 12 motion to dismiss and motion to strike Plaintiff's Third
15 Amended Complaint today, October 24, 2023. The motions challenge all claims in the
16 Third Amended Complaint and request dismissal without leave to amend of the entire
17 action. Therefore, a ruling from the Court in favor of Defendants could render the
18 Scheduling Conference moot.
- 19 (5) Based on the foregoing, good cause exists for a continuance of the Scheduling
20 Conference and corresponding Joint Status Report deadline. Both counsel are available
21 on **March 11 or March 25, 2024**, two dates for the Scheduling Conference provided
22 by the Courtroom Deputy earlier today. Therefore, the Parties request that the
23 Scheduling Conference be continued to one of those two dates and the Joint Status
24 Report deadline adjusted accordingly.

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1 IT IS SO STIPULATED.
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DATED: October 24, 2023

LAW OFFICE OF RESHMA KAMATH

5 *Reshma Kamath*
6

7 Reshma Kamath,
8 Counsel for Plaintiff Phillip Hoff
9

10 Dated: October 24, 2023

RIVERA HEWITT PAUL LLP

11 */s/ Shanan L. Hewitt*
12 SHANAN L. HEWITT
13 Attorney for Defendants
14 COUNTY OF SISKIYOU AND ANDREA FOX
15

16 **ORDER**

17 GOOD CAUSE having been shown, the foregoing joint stipulation for a continuance of
18 the Scheduling Conference and deadline for filing of the Joint Status Report is HEREBY
19 GRANTED. The Scheduling Conference is reset to **March 11, 2024 at 1:30 p.m.**, with the
20 Parties' Joint Status to be filed on **February 26, 2024**.

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22 IT IS SO ORDERED.
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25 Dated: October 24, 2023

William B. Shubb
26 WILLIAM B. SHUBB
27 UNITED STATES DISTRICT JUDGE
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